

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
and POPEO, P.C.,
Plaintiff,

V.

CIVIL ACTION NO. 24-cv-10999-DJC

CIVICSMART, INC and DUNCAN PARKING
TECHNOLOGIES, INC,
Defendants.

ASSENTED-TO MOTION TO IMPOUND AND FILE SETTLEMENT AGREEMENT
AND CONSENT JUDGMENT UNDER SEAL

Pursuant to Local Rule 7.2, Plaintiff submits this Assented-To Motion to File Settlement Agreement and Consent Judgment Under Seal (“Motion to Seal”). As grounds for this Motion to Seal, Plaintiff states the following:

1. In its Complaint, Plaintiff alleges that Defendants failed to pay for legal services rendered on their behalf (the “Action”).
2. The parties have reached agreement on settlement terms regarding this Action and executed a written settlement agreement (the “Settlement Agreement”).
3. A consent judgment (the “Consent Judgment”) is as an exhibit to the Settlement Agreement.
4. A stipulated order of dismissal (the “Order of Dismissal”) is also an exhibit to the Settlement Agreement. The Order of Dismissal is attached hereto as Exhibit A.
5. The Order of Dismissal expressly provides for the filing of the Settlement Agreement and Consent Judgment in this Action under seal. This is because the Settlement Agreement contains strict confidentiality provisions precluding the parties from discussing the

financial or other terms of the Settlement Agreement. In addition, the Settlement Agreement requires the execution, and filing in this Action, of the Consent Judgment for the Court to retain jurisdiction to reopen this Action and enforce the Settlement Agreement in the event Defendants default under the Settlement Agreement.

6. Good cause exists under Local Rule 7.2 for the continued impoundment of the Settlement Agreement and Consent Judgment until further order of the Court because, as discussed above, the parties in this Action, and through the Settlement Agreement, agreed to such impoundment to resolve this Action and further, the Settlement Agreement contains strict confidentiality provisions precluding the parties from discussing its terms.

For the foregoing reasons, the parties respectfully request that the Court enter the Order of Dismissal (attached as Exhibit A) as an order of this Court. Once the Court enters the Order of Dismissal as an order of this Court, and consistent with both Local Rule 7.2(c) and the Order of Dismissal, Plaintiff will file the Settlement Judgment and Consent Judgment under seal.

Dated: August 29, 2024

MINTZ, LEVIN, COHN, FERRIS
GLOVSKY and POPEO, P.C.

By its attorneys,

/s/ *Brendan J. Lowd*

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CERTIFICATE OF CONSULTATION

Pursuant to Local Civil Rule 7.1(A)(2), the undersigned hereby certifies that counsel for both parties have conferred and Defendants assent to the relief requested herein.

/s/ *Brendan J. Lowd*

Brendan J. Lowd

CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the foregoing pleading to be filed with the Court's ECF filing system, which will cause an electronic notice to be sent to counsel of record. I further certify that I will email a copy of this filing to Defendants' counsel as listed below.

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/s/ Brendan J. Lowd
Brendan J. Lowd